

NO. 24563

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ERIC WADA and MICHAEL K. ABE, Plaintiffs-Appellants

vs.

COLLEEN HANABUSA, fka COLLEEN SAKURAI;
SAKURAI & SING; LISA GINOZA; JON MIHO; McCORRISTON,
MIHO, MILLER, & MUKAI; GEORGE CHOY; MICHAEL NAKAMURA,
former Chief of Police; POLICE DEPARTMENT,
CITY & COUNTY OF HONOLULU, Defendants-Appellees

and

RANDALL M. KUBA, Individually; DEXTER TERUYA,
Individually; HAWAII UNITED OKINAWA ASSOCIATION,
a Hawai'i not for profit corporation; PAMELA TAMASHIRO,
Individually; BARBARA KUBA; BETTY HIGA, BOB MAYESHIRO;
JOHN DOES 1-200 and MARY DOES 1-200, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-3151)

ORDER DISMISSING APPEAL
(By: Moon, C.J., Levinson,
Nakayama, Ramil, and Acoba, JJ.)

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that: (1) the claims resolved by the February 3, 2000 and August 2, 2000 summary judgment orders and the August 21, 2001 judgment have not been reduced to a final judgment pursuant to HRCP 58; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-20, 869 P.2d 1334, 1339-39 (1994) (In a multiple claim, multiple party circuit court case, an appeal may be taken after entry of a judgment that enters judgment in favor of and against the parties, identifies the claims for which the judgment is entered and on its face, shows finality as to all claims against all the parties. "A

statement that declares 'there are no other outstanding claims' is not a judgment."); (2) the August 21, 2001 judgment, the Honorable Eden Elizabeth Hifo, presiding, which enters judgment on less than all of the plaintiffs' claims, is not certified under HRCP 54(b); and thus, (3) the appeal of the February 3, 2000 and August 2, 2000 summary judgment orders and the August 21, 2001 judgment is premature and we lack jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, January 9, 2002.